

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:10-CV-30-D

SISTERS TWO, LLC.,)
JUDITH ANN TREADWELL,)
)
Plaintiffs,)
)
v.)
)
WRENN TREADWELL TREVARTHEN,)
)
Defendant.)

ORDER

On December 22, 2010, plaintiffs filed a motion for voluntary dismissal of their complaint [D.E. 29]. On January 12, 2011, defendant responded to plaintiffs' motion for voluntary dismissal [D.E. 36].

The court GRANTS plaintiffs' motion for voluntary dismissal [D.E. 29]. See Fed. R. Civ. P. 41(a)(2). The complaint is dismissed without prejudice. The plaintiffs' motion to amend the complaint [D.E. 17] is DISMISSED as moot. The defendant's counterclaim remains pending before the court. Pursuant to 28 U.S.C. § 636(b)(1)(A), the non-dispositive motions [D.E. 19, 21, 27] are referred to Magistrate Judge Daniel for disposition.

SO ORDERED. This 13 day of January 2011.


JAMES C. DEVER III
United States District Judge